

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33783 of 2022**

Arising Out of PS. Case No.-227 Year-2021 Thana- JAMALPUR District- Munger

Kahar Dom Son Of Late Gurmani Malik R/O Village- Khawa Japani, P.S.-  
Medni Chawki, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-10-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 304(B) 34 of the Indian  
Penal Code.

According to prosecution case, the petitioner along  
with other co-accused were demanding Rs. 20,000/- from the  
daughter of the informant who was 8 months pregnant and on  
account of non-fulfillment of demand, they assaulted her at the  
stomach and during treatment she died.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is father-in-law of the deceased and he is living separately from the family members of the deceased and in fact the deceased died in her matrimonial house and there is no specific allegation against the petitioner and there is general and omnibus allegation against all the accused persons including the petitioner and husband of the deceased is in custody since 28.01.2022 and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 28.01.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jamalpur P.S. Case No. 227 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present



as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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